

REMARKS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested. After entry of the foregoing amendment, Claims 1-5, 9, 12, and 14-20 remain pending in the present application. No new matter has been added.¹

By way of summary, the Office Action presented the following issues: Claims 1-5, 9, 12, and 14-20 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite; and Claims 1-5, 9, 12, and 14-20 were rejected under 35 U.S.C. § 103(a) as obvious over U.S. Patent Application Publ'n No. 2002/0174431 to Bowman et al. (hereinafter "Bowman") in view of U.S. Patent Application Publ'n No. 2004/0078274 to Aarnio (hereinafter "Aarnio") and U.S. Patent Application Publ'n No. 2003/0093545 to Liu et al. (hereinafter "Liu").

STATEMENT OF SUBSTANCE OF INTERVIEW

Applicants and Applicants' representative wish to thank Examiner Huynh for the courtesy of the personal interview granted on June 2, 2010. During the interview, amendments clarifying the claims over the applied references were discussed. Claim amendments and comments similar to those presented during the interview are included herein.

ABSTRACT

Applicants have deleted the Abstract and submit herewith a new Abstract. No new matter has been added.

¹ The amendments to independent Claims 1, 9, 12, and 17 find support at least in Figure 8 and in its accompanying text in the specification.

REJECTION UNDER 35 U.S.C. § 112

Claims 1-5, 9, 12, and 14-20 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Although it is believed that independent Claims 1, 9, 12, and 17 were sufficiently definite as written, Applicants have amended those claims in accordance with the discussion at the interview. Accordingly, Applicants respectfully request the withdrawal of the rejection under 35 U.S.C. § 112.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-5, 9, 12, and 14-20 were rejected under 35 U.S.C. § 103(a) as obvious over Bowman in view of Aarnio and Liu. In light of that rejection, independent Claims 1, 9, 12, and 17 have been amended to clarify the claimed inventions and to thereby more clearly patentably define over the applied references.

Amended Claim 1 is directed to a communication apparatus, comprising:

communicative means . . . ,

the communicative means transmitting a transmission of available/unavailable request information identifying a broadcast station that broadcast the received broadcast information, if said detection means detects that said externally input user personal information is not stored in said storage medium,

the communicative means receiving available/unavailable information in a reply to the transmission of said available/unavailable request information, the available/unavailable information showing whether or not an external device offers a service providing said related information about the contents

Applicants respectfully submit that Bowman, Aarnio, and Liu fail to disclose or suggest those features.

Bowman concerns a process in which “the user registers to use the retrieval service by completing a user-profile.”² The Office admitted that “Bowman does not explicitly teach that the available/unavailable request information is transmitted if the transmission means detects that said user personal information is not detected by said detection means stored in said storage medium.”³

It is respectfully submitted that Bowman does not disclose or suggest the features of “the communicative means transmitting a transmission of available/unavailable request information identifying a broadcast station that broadcast the received broadcast information, if said detection means detects that said externally input user personal information is not stored in said storage medium, the communicative means receiving available/unavailable information in a reply to the transmission of said available/unavailable request information, the available/unavailable information showing whether or not an external device offers a service providing said related information about the contents,” as recited in amended Claim 1.

Aarnio concerns an on-line subscription method in which “If user-specific information does not exist for the user . . . , that user must register with the subscription server 20 and supply the requisite information”⁴ According to Aarnio, “The user-specific information includes the capabilities of the user’s hardware, the user’s financial information, and the user’s preferences.”⁵ That is, the Aarnio supplied information does not identify a broadcast station.

Aarnio does not disclose or suggest the features of “the communicative means transmitting a transmission of available/unavailable request information identifying a broadcast station that broadcast the received broadcast information, if said detection means

² Bowman, para. [0023].

³ Office Action at 5.

⁴ Aarnio, para. [0023].

⁵ Id., para. [0020].

detects that said externally input user personal information is not stored in said storage medium, the communicative means receiving available/unavailable information in a reply to the transmission of said available/unavailable request information, the available/unavailable information showing whether or not an external device offers a service providing said related information about the contents,” as recited in amended Claim 1.

Liu concerns a method, in which “In step S3, the service management center 3 determines if the terminal user 1 desires to apply for member registration.”⁶ In the Liu method, “In step S4, the terminal user 1 follows a registration process provided by the service management center 3, and accordingly inputs a login account, identification number and communication number.”⁷ That is, the Liu input information does not identify a broadcast station.

Liu does not disclose or suggest the features of “the communicative means transmitting a transmission of available/unavailable request information identifying a broadcast station that broadcast the received broadcast information, if said detection means detects that said externally input user personal information is not stored in said storage medium, the communicative means receiving available/unavailable information in a reply to the transmission of said available/unavailable request information, the available/unavailable information showing whether or not an external device offers a service providing said related information about the contents,” as recited in amended Claim 1.

Thus, Bowman, Aarnio, and Liu, taken alone or in combination, fail to disclose or suggest the features of “the communicative means transmitting a transmission of available/unavailable request information identifying a broadcast station that broadcast the received broadcast information, if said detection means detects that said externally input user personal information is not stored in said storage medium, the communicative means

⁶ Liu, para. [0031].

⁷ Id., para. [0032].

receiving available/unavailable information in a reply to the transmission of said available/unavailable request information, the available/unavailable information showing whether or not an external device offers a service providing said related information about the contents,” as advantageously recited in amended Claim 1.

It is submitted that amended Claim 1 (and all associated dependent claims) patentably distinguishes over any proper combination of Bowman, Aarnio, and Liu for at least the foregoing reasons.

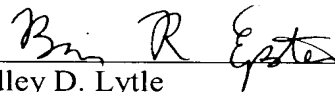
It is further submitted that independent Claims 9, 12, and 17 (and all associated dependent claims) patentably distinguish over any proper combination of Bowman, Aarnio, and Liu for at least reasons analogous to those set forth above with regard to Claim 1.

CONCLUSION

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the present application is patentably distinguished over the applied references and is in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 07/09)

Brian R. Epstein
Registration No. 60,329